

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Kelly Joe Simon,)	ORDER RE SUBMISSION OF PROPOSED SCHEDULING/DISCOVERY PLANS
)	
Plaintiff,)	
)	
vs.)	Case No. 1:10-cv-026
)	
Pat Branson and Wes Wood,)	
)	Case No. 1:10-cv-026
Defendants.)	

In lieu of conducting an initial pretrial scheduling/discovery conference in this case pursuant to Rule 16(b) of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED that each party shall submit to the court a proposed pretrial plan by October 1, 2010. The proposed pretrial plan should cover any applicable items listed in the attached sample as well as any other items appropriate in this case. All deadlines in the proposed pretrial plan must lapse within fourteen months of the date of filing of the Complaint in this case. The proposed plans should not be filed with the court, but submitted the undersigned via e-mail to ndd_J-Miller@ndd.uscourts.gov. In the alternative, copies of the proposed plan may be sent to undersigned at P.O. Box 670, Bismarck, ND 58502-670. Upon receipt and review of the proposed plans, the court will establish a pretrial case management plan and will schedule the trial for this matter.

Dated this 1st day of September, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge